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State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

Inspection Report

Representatives Present During the Inspection:	
Company	Dennis Oakley Environmental Engineer
Company	Guy Davis Environmental Scientist
Federal	Tom Lloyd Ferron-Price District Geologist
OSM	Henry Austin
OGM	Jim Smith Environmental Scientist III
OGM	Wayne Western Environmental Scientist III
Federal	Angela Wadman Physical Science Technician

Permit Number:	C0150018
Inspection Type:	BOND RELEASE
Inspection Date:	Monday, May 07, 2007
Start Date/Time:	5/7/2007 2:00:00 PM
End Date/Time:	5/7/2007 3:30:00 PM
Last Inspection:	Tuesday, April 24, 2007

Inspector: Wayne Western, Environmental Scientist III

Weather: Partly cloudy skies temperatures in mid 70's

InspectionID Report Number: 1292

Accepted by: pgrubaug
5/23/2007

Permitee: **PACIFICORP**
Operator: **ENERGY WEST MINING CO**
Site: **DEER CREEK MINE**
Address: **PO BOX 310, HUNTINGTON UT 84528**
County: **EMERY**
Permit Type: **PERMANENT COAL PROGRAM**
Permit Status: **ACTIVE**

Current Acreages

19,740.78	**Total Permitted**
97.74	**Total Disturbed**
	Phase I
	Phase II
	Phase III

Mineral Ownership

- [x] **Federal**
- [x] **State**
- [ ] **County**
- [x] **Fee**
- [ ] **Other**

Types of Operations

- [x] **Underground**
- [ ] **Surface**
- [ ] **Loadout**
- [ ] **Processing**
- [ ] **Reprocessing**

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

The inspection was conducted to determine if 0.6 acre of the Deer Creek mine was eligible for Phase I bond release. The 0.6 acre was associated with ventilation portals that were located next to the Cottonwood/Wilberg Mine. The site was reclaimed in 1999. There were three pre-SMCRA portals that were used by the Permittee for ventilation. There were two pre-SMCRA portals at the site that were not used by the Permittee but were reclaimed under the direction of AML.

Deep pocking or gouging and vegetation are the primary reclamation sediment control methods. Prior to reclamation, drainage from the portal terrace was treated by silt fencing and then discharged through culvert CU-15 to the Right Fork of Grimes Wash. The access road, below the culvert, was part of a 0.9-acre Wilberg Mine fan SAE. A retention basin adjacent to the Wilberg fan provided sediment control for this SAE.

Inspector's Signature: Wayne Western **Date** Tuesday, May 08, 2007

Wayne Western, Environmental Scientist III
Inspector ID Number: 42

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. *Substantiate the elements on this inspection by checking the appropriate performance standard.*
   a. *For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.*
   b. *For PARTIAL inspections check only the elements evaluated.*
2. *Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.*
3. *Reference any narratives written in conjunction with this inspection at the appropriate performace standard listed below.*
4. *Provide a brief status report for all pending enforcement actions, permit conditions, Divison Orders, and amendments.*

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	☐	☐	☐	☐
2. Signs and Markers	☑	☐	☑	☐
3. Topsoil	☐	☐	☐	☐
4.a Hydrologic Balance: Diversions	☐	☑	☐	☐
4.b Hydrologic Balance: Sediment Ponds and Impoundments	☐	☑	☐	☐
4.c Hydrologic Balance: Other Sediment Control Measures	☑	☐	☑	☐
4.d Hydrologic Balance: Water Monitoring	☐	☑	☐	☐
4.e Hydrologic Balance: Effluent Limitations	☐	☑	☐	☐
5. Explosives	☐	☑	☐	☐
6. Disposal of Excess Spoil, Fills, Benches	☑	☐	☑	☐
7. Coal Mine Waste, Refuse Piles, Impoundments	☑	☐	☑	☐
8. Noncoal Waste	☑	☐	☑	☐
9. Protection of Fish, Wildlife and Related Environmental Issues	☐	☐	☐	☐
10. Slides and Other Damage	☑	☐	☑	☐
11. Contemporaneous Reclamation	☐	☑	☐	☐
12. Backfilling And Grading	☑	☐	☐	☑
13. Revegetation	☑	☐	☑	☐
14. Subsidence Control	☐	☑	☐	☐
15. Cessation of Operations	☐	☑	☐	☐
16.a Roads: Construction, Maintenance, Surfacing	☑	☐	☑	☐
16.b Roads: Drainage Controls	☐	☑	☐	☐
17. Other Transportation Facilities	☐	☑	☐	☐
18. Support Facilities, Utility Installations	☐	☑	☐	☐
19. AVS Check	☐	☑	☐	☐
20. Air Quality Permit	☐	☑	☐	☐
21. Bonding and Insurance	☐	☐	☐	☐
22. Other	☐	☐	☐	☐

2. Signs and Markers

Disturbed area for the 0.6 acres was clearly marked.

4.c Hydrologic Balance: Other Sediment Control Measures

Phase I reclamation was completed in December 1999. Silt fences, ditches, berms, and culvert CU-15 were removed: these were the only sediment control structures at the site. The access road was reclaimed down to the Wilberg fan, reducing the Wilberg fan SAE from 0.9 acre to 0.7 acre: the retention basin still controls sediment in runoff for the Wilberg fan SAE.

RUSLE calculations were not done specifically for the 9th East portal area, but the results of RUSLE calculations in Volume 2, Part 4 – Reclamation Plan, R645-3021-700: Hydrology that was done for comparable terrain in Deer Creek Canyon indicate gouging is adequate to keep the rate of sediment loss at or below the rate of loss from adjacent undisturbed areas. There has been no direct hydrologic monitoring at the 9th East Breakout, but Grimes Wash is monitored at GWR-01 above the 9th East portal area and GWR-03 below the Cottonwood/Wilberg Mine site.

No rills, gullies, or evidence of excessive sediment transport were seen during the inspection. Based only on visual assessment, gouging, vegetation, litter, and rock appear to be providing adequate cover and sediment control. The pocking established at the time of reclamation has matured into a more even surface, without extreme highs and lows, but it is still helping control sedimentation and erosion over much of the reclaimed area.

6. Disposal of Excess Spoil, Fills, Benches

No excess spoil, fills, or benchers were at the site.

7. Coal Mine Waste, Refuse Piles, Impoundments

There were no refuse piles or impoundments at the site. All coal mine waste had either been properly disposed of on site.

8. Noncoal Waste

All noncoal mine waste had been removed.

10. Slides and Other Damage

No slides or other instabilities were noted.

13. Revegetation

Based on visual assessment only, the vegetation appears to be diverse and providing good cover. No rills or gullies were seen.

16.a Roads: Construction, Maintenance, Surfacing

All roads at the site were reclaimed.